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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/697,761 | 10/30/2003 | Brian S. McCain | TUC920030123US1 (16957) | 8747 |
| 46263 | 7590 | 04/21/2008 | EXAMINER | |
| SCULLY, SCOTT, MURPHY, & PRESSER, P.C. | | | NGUYEN, VAN H | |
| 400 GARDEN CITY PLAZA | | | ART UNIT | PAPER NUMBER |
| SUITE 300 | | | 2194 | |
| GARDEN CITY, NY 11530 | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|-----------------|---------------|
| Response to Rule 312 Communication | 10/697,761 | MCCAIN ET AL. |
| | Examiner | Art Unit |
| | VAN H. NGUYEN | 2194 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. The amendment filed on 04 April 2008 under 37 CFR 1.312 has been considered, and has been:

- a) entered.
- b) entered as directed to matters of form not affecting the scope of the invention.
- c) disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d) disapproved. See explanation below.
- e) entered in part. See explanation below.

/VAN H NGUYEN/
Primary Examiner, Art Unit 2194